

From: [NowAmFound GeoGraphics](#)
To: [Farr, Stephany M \(DOH\)](#)
Subject: RE: public records request: abortions by facility, King-Pierce-Sno
Date: Tuesday, May 8, 2018 11:43:19 AM

Ms Farr, thank you, one year is quite generous (at Ecology there was only 21 or 30 day to appeal, and there was a fair list of requirements for an appeal).

Informally, I think the data for King-Pierce-Sno should be able to be further broken down without violating the letter or spirit of RCW 43.70.050(2). I'll read the RCW later and make some revised requests. I have read the posted reports you've linked me to, they are generally quite useful and I'm grateful for WDOH's effort to post those and other reports. It's the old adage that good answers spur further questions.

Thanks again for your continued answers to my stream of questions. I appreciate your effort.

K-Y Su

Sent from [Mail](#) for Windows 10

From: Farr, Stephany M (DOH) <stephany.farr@doh.wa.gov>
Sent: Monday, May 7, 2018 2:39:00 PM
To: NowAmFound GeoGraphics
Subject: RE: public records request: abortions by facility, King-Pierce-Sno

Thank you K-Y Su for your follow-up questions. In regards to the appeal deadline, you have one year from my original response on April 25, 2018 to appeal this decision.

Just to clarify, the Department can only offer aggregated data from 2001 to Present, which is located on our website [here](#).

Under RCW 42.56.520 you may appeal the decision to withhold information contained in the records via a request for review by the Department of Health's Public Records Officer. The request must be submitted in writing to either of the following:

Mailing Address:
Public Records Officer
Washington State Department of Health
P.O. Box 47890
Olympia, WA 98504-7890

Email Address:
PRRAppeals@DOH.WA.GOV

Sincerely,

Stephany Farr

Office Manager
Center for Health Statistics
Washington State Department of Health
101 Israel Road SE
Tumwater, WA 98501
(360) 236-4308

From: NowAmFound GeoGraphics [mailto:NowAmFoundGeo@LIVE.COM]
Sent: Friday, May 4, 2018 11:22 AM
To: Farr, Stephany M (DOH) <stephany.farr@doh.wa.gov>
Subject: RE: public records request: abortions by facility, King-Pierce-Sno

Ms Farr, thank you for your rapid and detailed reply. I have been kicking around the idea of appealing this decision, but before I do, (1) when is the appeal deadline and are there guidelines on what's required in an appeal (I used to handle appeals of shoreline permits for Ecology, I assume your procedure isn't quite as formal), and (2) do you have time to work with me on possible revisions of my request to avoid the limitations of identifying single facilities? Not that you'd create a revised request, but if I floated revisions to you could you say "yes that's ok, no that's not" within a reasonable time? (Again I'm gratefully amazed you replied to my initial request overnight).

I've been to the page you listed below; that's what prompted my request.

For example, if I requested the stats aggregated by (1) legislative district or county council district or zip code and/or (2) by type of facility (full-service hospitals, abortion-specialist clinics, urgent-care centers and neighborhood extension clinics, etc), I imagine there'd be some if not most cases where this wouldn't narrow it down to a single facility, certainly not in most of King/Pierce.

Could you do a stepped breakdown where in most counties you couldn't go beyond county, but in the bigger counties you could do another step or two of breaking down?

Thank you –

K-Y Su

Sent from [Mail](#) for Windows 10

From: Farr, Stephany M (DOH) <stephany.farr@doh.wa.gov>
Sent: Wednesday, April 25, 2018 10:01:45 AM
To: nowamfoundgeo@live.com
Subject: RE: public records request: abortions by facility, King-Pierce-Sno

Dear K-Y Su,

We received your public records request on April 24, 2018. We understand your request to mean that you would like:

“Pursuant to the Public Disclosure Act, I’d like to request essentially the same data, counts of elective abortions performed, but resolved down to (1) name/location of facility and (2) city or preferably zip code of patient’s residence, which will allow me to assess (1) distribution of abortion demand among types of facility (ie full-service hospitals vs abortion-specialist clinics vs other smaller health-care outlets) and (2) geographic distribution of abortion vs economic factors. Please include outpatient/chemical abortions also. They can be separate or aggregated with surgical abortions. Unlike your tables, I don’t need the data to be separated by year. If it already is, that’s even better, but otherwise if the 2010-2017 or 2012-2017 data are aggregated, that’s fine too. I’m looking for the last 5-10 years; if it’s separated by year or into before and after the 2009 recession (which I’d say ongoing effects peaked in 2011), that’s even better. My focus is the greater Puget Sound area but eventually I’d like statewide data. It’s ok if you get to Puget Sound first, then follow with statewide. ”

We cannot provide you the records in the format you requested because records that identify a single facility are prohibited. RCW 43.70.050(2) states that “data in any form where the patient or provider of health care can be identified” shall not be subject to disclosure under the Public Records Act. In *Bloedow v. Planned Parenthood, et al (2015)*, the Washington State Appellate Court ruled that “because production of the records in response to the targeted requests would identify the health care provider, the records are exempt from disclosure under RCW 43.70.050(2).”

The information you requested does not exist in any agency identifiable records or reasonably locatable electronic records because the agency does not manage its data in such a way that standard reports have been developed that contain the information you are seeking. Although the department is not obligated to create records in order to satisfy a public records request, you should know that if it were matter of a simple modification to an existing query to produce report(s) that would provide the information of interest to you, please know that the department would in fact create the record(s).

The agency strives to be compliant with RCW 42.56, the Public Records Act. The act requires the agency to produce “**identifiable records**” that are responsive to a request unless such records are exempt from production based on federal or state law. In cases where public records are requested and the information resides in a database, the agency’s practice is in alignment with the Attorney General Model Rules pertaining to electronic records. Specifically, [WAC 44-14-05002\(1\)](#), which addresses “**reasonably locatable**” electronic records, is relevant in this instance.

However, the Department can offer you aggregated data from 2001 to Present, available [here](#). 2017 data for Induced Abortion/Pregnancy is not available yet. We estimate that the report will be made available to the public in summer 2018.

With this communication, the department believes that your request has now been responded to fully and appropriately, and considers your public records request complete and closed.

Under RCW 42.56.520 you may appeal the decision to withhold information contained in the records via a request for review by the Department of Health’s Public Records Officer. The request must be

submitted in writing to either of the following:

-
Mailing Address:

Public Records Officer
Washington State Department of Health
P.O. Box 47890
Olympia, WA 98504-7890

Email Address:

PRRAppeals@DOH.WA.GOV

If you have any questions or need additional information, please me via email at stephany.farr@doh.wa.gov or phone at (360) 236-4308.

Sincerely,

Stephany Farr

Office Manager
Center for Health Statistics
Washington State Department of Health
101 Israel Road SE
Tumwater, WA 98501
(360) 236-4308

From: NowAmFound GeoGraphics [<mailto:nowamfoundgeo@live.com>]

Sent: Tuesday, April 24, 2018 1:30 PM

To: DOH DCHS PRRs <DCHS.PublicRecordsRequests@doh.wa.gov>

Subject: public records request: abortions by facility, King-Pierce-Sno

Good afternoon, Center for Health Statistics –

I was referred to you by Public Health – Seattle-King County. I’ve looked up DOH’s data page for abortion statistics – thank you for posting that data – mainly the table counting abortions by county of facility and county of patient’s residence. I’m seeking geographically-finer data.

Pursuant to the Public Disclosure Act, I’d like to request essentially the same data, counts of elective abortions performed, but resolved down to (1) name/location of facility and (2) city or preferably zip code of patient’s residence, which will allow me to assess (1) distribution of abortion demand among types of facility (ie full-service hospitals vs abortion-specialist clinics vs other smaller health-care outlets) and (2) geographic distribution of abortion vs economic factors.

Please include outpatient/chemical abortions also. They can be separate or aggregated with surgical abortions.

Unlike your tables, I don’t need the data to be separated by year. If it already is, that’s even better, but otherwise if the 2010-2017 or 2012-2017 data are aggregated, that’s fine too. I’m looking for the last 5-10 years; if it’s separated by year or into before and after the 2009 recession (which I’d say

ongoing effects peaked in 2011), that's even better.

My focus is the greater Puget Sound area but eventually I'd like statewide data. It's ok if you get to Puget Sound first, then follow with statewide.

This will go into a GIS analysis. You don't have to provide the data as GIS format, Excel or such is fine, or even narrative text is usable.

Roughly how long will this take? Are there changes I can make which would make my request easier?

Thank you very much –

K-Y Su
NowAmFound GeoGraphics
Kirkland

Sent from [Mail](#) for Windows 10